

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scott M. Tulino on 11-5-2009 and follow-up confirmation on 11-9-2009.

The application has been amended as follows:

In claim 1, line 5, replace "*button groups each having*" with -- *button groups, arranged along an annular ring, each having* --.

In claim 1, line 14, replace "*focused state.*" with -- *focused state;*

wherein the display control device further comprises a keypad displayed on the display control section, wherein the annular ring is disposed on a first side of the display control section and the keypad is displayed on a second side of the display control section;

wherein an entry from the keypad is displayed in a center of the annular ring;

wherein when switching from the annular ring to the keypad, focus is indicated by a most frequently selected button; and

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wherein if a mistake is made during entry by the keypad, focus is placed at a mistaken button to allow for selection of adjacent buttons.

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In claim 17, line 3, replace "*a plurality of icons*," with -- *a plurality of icons* arranged along an annular ring,--.

In claim 17, line 12, replace "*in the monitor*." with

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*in the monitor;*

*wherein the annular ring is disposed on a first side of the display control section and the ten keys that make up a keypad are displayed on a second side of the display control section;*

*wherein an entry from the keypad is displayed in a center of the annular ring;*

*wherein when switching from the annular ring to the keypad, focus is indicated by a most frequently selected button; and*

*wherein if a mistake is made during entry by the keypad, focus is placed at a mistaken button to allow for selection of adjacent buttons.*

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In claim 26, line 3, replace “*a plurality of icons,*” with -- *a plurality of icons arranged along an annular ring,*--.

In claim 26, line 13, replace “*in focused state.*” with

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*in focused state;*

*wherein the annular ring is disposed on a first side of the display control section and the ten keys that make up a keypad are displayed on a second side of the display control section;*

*wherein an entry from the keypad is displayed in a center of the annular ring;*

*wherein when switching from the annular ring to the keypad, focus is indicated by a most frequently selected button; and*

*wherein if a mistake is made during entry by the keypad, focus is placed at a mistaken button to allow for selection of adjacent buttons.*

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In claim 42, line 1, replace “to claim 41,” with

-- to claim 1,--

Cancel Claims 43, 44, and 46-49.

### **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance:
2. The examiner considered the Applicant's Amendment filed on 6-30-2009 and the Examiner's Amendment of 11-10-2009 and after updated search, no other prior art of record has taught that which was presented in the amended claims
3. Therefore, claims 1-4, 6-17, 19-26, 28-38, 40-42, 45, and 50-52 are allowable.
4. Independent claim 1, 17, and 26, when considered as a whole, are allowable over the prior art of record (Gunn et al., Pub. No.: US 2005/0210402, hereinafter Gunn, Comerford et al., Patent Number: US 5,963,671, hereinafter Comerford, and Duarte, Patent Number: 7,093,201). Gunn teaches, in paragraphs 125 and 128, a system comprising a plurality of button groups where when a button group is displayed on the monitor, one of the buttons is displayed in a focused state. Gunn teaches, in paragraph 10, changing the current focus within a button group. Gunn teaches, in paragraphs 125 and 128, changing button groups and further changing the focus to the most likely button in the changed to button group. Gunn teaches, in paragraphs 125 and 128 and figures 10-12, the most commonly used character (as predefined by previous usage) will be displayed in or near the center of a character set grouping that is user selectable, this focus item could additionally be displayed in a different color, font, or boldness to signify its focus (see paragraph 160). Gunn teaches changing character configurations that are presented to the user based upon the likelihood of a selection where location is modified to highlight particular characters (see paragraph 125)

Gunn is supplemented by Comerford who further teaches modifying the appearance of characters so as to make it easier for a user to locate based upon their likelihood of selection (see column 3, lines 15-24), similar that of Gunn, and further teaches dynamically changing the highlighted element(s) to a different element(s) in the set as a word is being typed so that the most likely candidate(s) is always highlighted, and keeping an ordered likelihood of subsequent character selection (see column 3, lines 15-24 and 50-67 and column 5, lines 13-37).

Gunn and Comerford are further supplemented by Duarte who further teaches a system for displaying grouped icons in a radial based display (see column 2, lines 33- and figures 1 and 4), similar to that of Gunn and Comerford, and further teaches displaying an initial start menu that allows for a user to select a particular function and that subsequent grouped menu items will be based upon the selected function (see column 2, lines 33-55 and column 8, lines 24-38 and figures 1, 4, and 11).

However, specifically the prior art of record fails to clearly teach or support the limitations of “the display control device comprising a start menu consisting of a first plurality of icons selectable via an annular ring causing the display of a keypad each of which is displayed on the display control section, wherein the annular ring is disposed on a first side of the display control section and the keypad is displayed on a second side of the display control section; wherein an entry from the keypad is displayed in a center of the annular ring; wherein when switching from the annular ring to the keypad, focus is indicated by a most frequently selected button; and wherein if a mistake is made during entry by the

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keypad, focus is placed at a mistaken button to allow for selection of adjacent buttons.”

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS G. BONSHOCK whose telephone number is (571)272-4047. The examiner can normally be reached on Monday - Friday, 5:30 a.m. - 3:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on (571) 272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis G. Bonshock/  
Primary Examiner, Art Unit 2173  
11-10-09  
dgb